



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Revised Fiscal Note

(replaces fiscal note dated April 8, 2022)

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<b>Drafting Number:</b>	LLS 22-0884	<b>Date:</b>	April 19, 2022
<b>Prime Sponsors:</b>	Rep. Lindsay; Michaelson Jenet Sen. Winter	<b>Bill Status:</b>	House Appropriations
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**Bill Topic:**                   **PROTECTING INJURED WORKERS' MENTAL HEALTH RECORDS**

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**Summary of Fiscal Impact:**

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill amends the Workers' Compensation Act of Colorado to limit the disclosure of records related to a claimant's mental health. The bill also requires a person providing mental health services to a Workers' Compensation claimant to be a licensed mental health provider. The bill increases state workload and may increase state expenditures beginning in FY 2022-23.

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**Appropriation Summary:**           No appropriation is required.

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**Fiscal Note Status:**               The revised fiscal note reflects the introduced bill, as amended by the House Public Health and Human Services Committee.

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## Summary of Legislation

The bill amends the Workers' Compensation Act of Colorado to limit the disclosure of records related to a claimant's mental health. The director of the Division of Workers' Compensation in the Department of Labor and Employment may promulgate rules to implement the bill. The bill also requires a person providing mental health services to a Workers' Compensation claimant to be a licensed mental health provider.

## State Expenditures

This bill will increase workload in the Department of Labor and Employment and may increase expenditures beginning in FY 2022-23 in the Department of Personnel and Administration as described below.

**Division of Workers' Compensation.** The division will have an increase in workload to promulgate rules and update claims handling processes. This increase can be addressed within existing appropriations.

**Department of Personnel and Administration.** The bill may increase the cost of treatment for state employees that are Workers' Compensation claimants to see a licensed mental health provider for treatment rather than the authorized treating physician. Any increase will be incorporated into the annual actuarial process for assessing costs to agencies. The State Office of Risk Management may be required to change its records handling process as relates to mental health treatment; however, this workload can be addressed within existing appropriations.

## Local Government

Like the state government, the bill may increase the cost of treatment for local government employees that are Workers' Compensation claimants to see a licensed mental health provider for treatment rather than the authorized treating physician.

## Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature, and applies to claims filed on or after the effective date of this bill.

## State and Local Government Contacts

Information Technology

Labor

Personnel